

8/3/2022

JULIA C. DUDLEY, CLERK

BY: s/ A. Little

DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

LULA H. GLOVER,

Plaintiff,

v.

Civil Action No.: 6:22CV00044

KROGER LIMITED PARTNERSHIP I d/b/a

KROGR #406,

and

THE KROGER CO.,

Defendants.

NOTICE OF REMOVAL

The Defendants, Kroger Limited Partnership I and The Kroger Co., by counsel, pursuant to 28 U.S.C. §§ 1441 and 1446, file this Notice of Removal to remove this action to this Court from the Circuit Court for Appomattox County, Virginia. In support of this Notice, the defendants state as follows:

1. Upon information and belief, plaintiff is, and was at all times relevant hereto, a resident, citizen and domiciliary of the Commonwealth of Virginia.
2. At the time this action was commenced and at the time of removal, Kroger Limited Partnership I was an Ohio limited partnership with its principal place of business in Ohio. The 1% general partner is KRGP, Inc., an Ohio corporation with its principal place of business in Ohio. The 99% limited partner is The Kroger Co., an Ohio corporation with its principal place of business in Ohio.
3. The plaintiff filed a Complaint against the defendants in the Circuit Court for Appomattox County, Virginia. A copy of the plaintiff's Complaint is attached hereto as **Exhibit A**, pursuant to 28 U.S.C. § 1446.

4. This civil action is one over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1332, and the amount in controversy alleged in the Complaint exceeds Seventy-five Thousand Dollars (\$75,000.00) exclusive of interest and costs, and the action is between citizens of different states.

5. The defendants have given notice of the filing of the Notice of Removal to counsel for the plaintiff and has filed a copy with the Clerk of the Circuit Court for Appomattox County, Virginia.

WHEREFORE, Kroger Limited Partnership I and The Kroger Co., by counsel, hereby give notice to this action and is removed to this Court from the Circuit Court for Appomattox County, Virginia.

KROGER LIMITED PARTNERSHIP I d/b/a
KROGER #406
and
THE KROGER CO.

/s/ C. Kailani Memmer
Of Counsel

C. Kailani Memmer (VSB No. 34673)
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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of August, 2022, I electronically filed the foregoing Notice of Removal with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Randall T. Trost, Esq. (VSB No. 45942)
Dustin Rosser, Esq. (VSB No. 77264)
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Counsel for Plaintiff

/s/ C. Kailani Memmer
Of Counsel